

PUBLIC NOTICE: 06-25

**NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS AND
OPPORTUNITY TO COMMENT**

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

**ACTION: NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS
AND OPPORTUNITY TO COMMENT**

**SUMMARY: EPA IS PROVIDING NOTICE OF A PROPOSED ADMINISTRATIVE
PENALTY ASSESSMENT FOR ALLEGED VIOLATIONS OF THE CLEAN WATER
ACT. EPA IS ALSO PROVIDING NOTICE OF OPPORTUNITY TO COMMENT ON
THE PROPOSED PENALTY ASSESSMENT.**

**UNDER 33 U.S.C. §1319(G), EPA IS AUTHORIZED TO ISSUE ORDERS
ASSESSING CIVIL PENALTIES FOR VARIOUS VIOLATIONS OF THE ACT. EPA
MAY ISSUE SUCH ORDERS AFTER THE COMMENCEMENT OF A CLASS I OR
CLASS II PENALTY PROCEEDING. EPA PROVIDES PUBLIC NOTICE OF THE
PROPOSED ASSESSMENT PURSUANT TO 33 U.S.C. §1319(G)(4)(A).**

**CLASS I PROCEEDINGS ARE CONDUCTED UNDER EPA'S
“CONSOLIDATED RULES OF PRACTICE GOVERNING THE ADMINISTRATIVE**

ASSESSMENT OF CIVIL PENALTIES, ISSUANCE OF COMPLIANCE OR CORRECTIVE ACTION ORDERS AND THE REVOCATION, TERMINATION OR SUSPENSION OF PERMITS”, 40 CFR PART 22. THE PROCEDURES THROUGH WHICH THE PUBLIC MAY SUBMIT WRITTEN COMMENT ON A PROPOSED CLASS I COMPLAINT OR PARTICIPATE IN A CLASS I PROCEEDING, AND THE PROCEDURES BY WHICH A RESPONDENT MAY REQUEST A HEARING, ARE SET FORTH IN THE CONSOLIDATED RULES. THE DEADLINE FOR SUBMITTING PUBLIC COMMENT ON A PROPOSED CLASS I ORDER IS THIRTY (30) DAYS AFTER ISSUANCE OF PUBLIC NOTICE.

ON FEBRUARY 24, 2006, EPA COMMENCED THE FOLLOWING CLASS I PROCEEDINGS FOR THE ASSESSMENT OF PENALTIES: IN THE MATTER OF JEWISH COMMUNITY CENTER OF STATEN ISLAND, 475 VICTORY BOULEVARD, STATEN ISLAND, NEW YORK 10301, DOCKET NO. CWA-02-2006-3309; FILED WITH REGIONAL HEARING CLERK KAREN MAPLES, U.S. EPA, REGION II, 290 BROADWAY, 16th FLOOR, NEW YORK, NEW YORK 10007 (212) 637-3110; PROPOSED PENALTY: \$1,500 FOR FAILURE TO APPLY AND OBTAIN A NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES AS REQUIRED BY THE STORM WATER REGULATIONS.

FOR FURTHER INFORMATION: PERSONS WISHING TO RECEIVE A COPY OF EPA'S CONSOLIDATED RULES, REVIEW THE COMPLAINT OR OTHER DOCUMENTS FILED IN THESE PROCEEDINGS, COMMENT UPON THE PROPOSED ASSESSMENTS, OR OTHERWISE PARTICIPATE IN ANY OF THE PROCEEDINGS, SHOULD CONTACT THE REGIONAL HEARING CLERK IDENTIFIED ABOVE. UNLESS OTHERWISE NOTED, THE ADMINISTRATIVE RECORD FOR THESE PROCEEDINGS IS LOCATED IN THE EPA REGIONAL OFFICE IDENTIFIED ABOVE, AND THE FILES WILL BE OPEN FOR PUBLIC INSPECTION DURING NORMAL BUSINESS HOURS. ALL INFORMATION SUBMITTED BY THE RESPONDENT IS AVAILABLE AS PART OF THE ADMINISTRATIVE RECORD, SUBJECT TO PROVISIONS OF LAW RESTRICTING PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION.

EPA HAS PROVIDED THE RESPONDENT WITH AN EXPEDITED SETTLEMENT OFFER IN AN EFFORT TO PROMPTLY SETTLE THIS MATTER. IN ORDER TO PROVIDE OPPORTUNITY FOR PUBLIC COMMENT, EPA WILL TAKE FINAL ACTION IN THIS PROCEEDING PRIOR TO THIRTY (30) DAYS AFTER ISSUANCE OF THIS NOTICE.

DATED: 04-27-06

DORE LAPOSTA, DIRECTOR

**DIVISION OF ENFORCEMENT AND
COMPLIANCE ASSISTANCE**